



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/30 (09-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Image
RCE
1623

REQUEST

FOR

CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

4-21-04
APR 19 2004
JCA2

Application Number

10/081,974

Filing Date

February 21, 2002

First Named Inventor

Joseph Rubinfeld

Art Unit

1623

Examiner Name

T.C. McIntosh, III

Attorney Docket Number

12636-263

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
 - a. Previously submitted. If a final office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ii. Other _____
 - b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other Exhibit A _____
2. **Miscellaneous**
 - a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
 - b. Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
 - a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 23-2415
 - i. RCE fee required under 37 CFR 1.17(e)
 - ii. Extension of time fee (37 CFR 1.136 and 1.17)
 - iii. Other _____
 - b. Check in the amount of \$____ enclosed
 - c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Shirley Chen, Ph.D.	Registration No. (Attorney/Agent)	44,608
-------------------	---------------------	-----------------------------------	--------

Signature		Date	April 19, 2004
-----------	--	------	----------------

CERTIFICATE OF EXPRESS MAIL LABEL No. EV 333487898 US

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the dated indicated below and addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 to the U.S. Patent and Trademark Office.

Name (Print/Type)	Donna Hengst
-------------------	--------------

Signature		Date	April 19, 2004
-----------	--	------	----------------

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

04/22/2004 BABRAHAI 00000110 232415 10081974

01 FC:1801 770.00 DA



PATENT

Attorney Docket No. 12636-263

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application)	<u>Patent Application</u>
)	
Inventor(s): Joseph Rubinfeld, et al.)	Confirmation No. 2253
)	
Application No: 10/081,974)	Art Unit: 1623
)	
Filed: February 21, 2002)	Examiner: McIntosh, T. C., III
)	
Title: Sequential Therapy Comprising A 20(S)-)	
Camptothecin And A Pyrimidine Base)	
<u>Analog</u>)	

AMENDMENT UNDER 37 C.F.R. §1.114

M/S RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Introductory Comments:

Applicants submit this Amendment in response to the Office Action mailed on January 23, 2004. Also submitted herewith is Exhibit A which is a copy of a section in "Current Cancer Therapeutics", 3rd Ed., Kirkwood et al., pp. 118-119 (1998) which describes a water soluble camptothein derivative, irinotecan or CPT-11. Reconsideration of the above referenced application is respectfully requested in view of the following amendments and remarks.

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.